



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAILED FROM
DIRECTORS OFFICE

APR 20 2007

TECHNOLOGY CENTER 2800

VERNOIS GOULVEN
1 Rue Des Chalets
Velizy, 78140 FR France

AIRMAIL

In re Application of:
Vernois Goulven
Serial No.: 08/809,620
Filed: February 05, 1998
For: **TELESCOPE**

SUA SPONTE
DECISION WITHDRAWING HOLDING
OF ABANDONMENT

This is a decision, *sua sponte*, withdrawing the holding of abandonment of the above-identified application.

The application was held abandoned for failure to timely file a proper response to the Office action mailed on February 16, 2006. A Notice of Abandonment was mailed on March 14, 2007.

M.P.E.P. 707.13 states in part:

Letters are sometimes returned to the Office because the United States Postal Service has not been able to deliver them. The examiner should use every reasonable means to ascertain the correct address and forward the letter again, after stamping it "remailed" with the date thereof and redirecting it if there be any reason to believe that the letter would reach applicant at such new address. If the Office letter was addressed to an attorney, a letter may be written to the inventor or assignee informing him or her of the returned letter. The period running against the application begins with the date of remailing. Ex parte Gourtoff, 1924 C.D. 153, 329 O.G. 536 (Comm'r Pat. 1924).

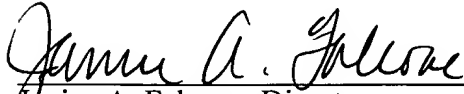
A review of the record shows that the response to the Office action mailed February 16, 2006 was filed on July 16, 2006. Further review reveals that a Notice of Non-Compliant Amendment was mailed on October 14, 2006, and returned by the United States Postal Service to the United States Patent and Trademark Office on December 28, 2006. It does not appear that any attempt to re-mail the Notice of Non-Compliant Amendment was made. Accordingly, the Notice was not remailed pursuant to M.P.E.P. § 707.13.

For the above stated reasons, the petition is granted. The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. The application is restored to pending status.

The application file is being forwarded to the Technology Center 2800 support staff for re-mailing the Notice of Non-Compliant Amendment. The statutory periods for response set

therein will be reset to run one month from the date the Notice is remailed. Extensions of time are available under 37 C.F.R. § 1.136.

Inquiries related to this decision should be directed to Clayton E. LaBalle at (571) 272-1594.



Janice A. Falcone, Director
Technology Center 2800
Semiconductors, Electrical and Optical
Systems and Components